

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Huntington National Bank,
successor-by-merger to TCF
National Bank,

Civ. No. 21-2346 (PAM/HB)

Plaintiff,

MEMORANDUM AND ORDER

v.

J29 Group, LLC, and
Amarildo Princivil,

Defendants.

This matter is before the Court on Plaintiff's Motion for Default Judgment pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure.

Plaintiff Huntington National Bank filed this lawsuit on October 21, 2021. Defendant Amarildo Princivil and Defendant J29 Group, LLC, were served on November 15, 2021. Neither Defendant has appeared and neither responded to the Complaint. The Clerk's Office entered default against both Defendants on January 27, 2022. (Docket No. 13.)

The Complaint (Docket No. 1) alleges that in April 2021 Defendant J29 Group entered into a financing agreement with Plaintiff for the purchase of software and equipment. (Compl. ¶ 8.) Defendant Princivil signed a guaranty for the loan. (Id. ¶ 23.) The total amount financed was \$444,033.48. (Id. ¶ 8.) The parties' agreement also provided that the bank could impose a 10% late fee and charge 18 % interest on any late payment. (Id. ¶ 10.) When J29 Group failed to pay the monthly charge under the

agreement, Huntington accelerated the debt and demanded payment in full as allowed under the agreement. (Id. ¶ 32.) The agreement also provides that Defendants are liable for Huntington's attorney's fees and expenses in any collection action. (Id. ¶ 15.)

The Court held a hearing on the Motion on April 21, 2021. Defendants did not appear at the hearing. After the hearing, at the Court's request, Huntington supplemented its submissions with updated calculations of the amounts owed. (Docket Nos. 22-23.) Huntington now requests a default money judgment of \$464,824.44 under the terms of the parties' agreement, plus attorney's fees and expenses of \$7,033.95, and applicable post-judgment interest. Having reviewed Huntington's submissions, Huntington has established that it is entitled to the default money judgment it seeks.

Accordingly, **IT IS HEREBY ORDERED that:**

1. Plaintiff's Motion (Docket No. 14) is **GRANTED**; and
2. The Clerk of Court is **DIRECTED** to enter judgment in favor of Plaintiff Huntington National Bank and against Defendants J29 Group, LLC, and Armarildo Princivil, jointly and severally, in the total amount of \$471,858.39, plus any applicable post-judgment interest as allowed by law.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 22, 2022

s/Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge